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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/700,013	11/03/2003	Ian W. Cottrell	257122/0039	3674
7590 08/24/2005				
Matthew W. Siegal Stroock & Stroock & Lavan LLP 180 Maiden Lane New York, NY 10038		EXAMINER PAK, JOHN D		
		ART UNIT PAPER NUMBER 1616		

DATE MAILED: 08/24/2005

Please find below and/or attached an Office communication concerning this application or proceeding.



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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
10/700,013	11/3/2003	Cottrell	257122.0039
			EXAMINER
			PAK, J
		ART UNIT	PAPER
		1616	08222005

DATE MAILED:

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## Commissioner for Patents

This communication is in response to applicant's IDS of 7/29/2005. The IDS was filed after the mail date of the Notice of Allowance. Therefore, the IDS filing falls under 37 CFR 1.97(d). Under that provision of Rule 97, applicant must meet the following requirements to have the IDS considered:

- (1) Statement specified in paragraph 37 CFR 1.97(e), and
- (2) Fee as set forth in 1.17(p).


Applicant has failed to meet requirement (1), supra. An international search report is noted, but that search report is dated 1/11/2005, which is more than the 3 months set forth in 37 CFR 1.97(e)(1). Additionally, applicant does not state that the international application was a COUNTERPART foreign/international application. Mere "related application" does not suffice.

Therefore, the IDS is untimely, and it cannot be granted entry or consideration.

Any inquiry concerning this communication or earlier communications from the Examiner should be directed to JOHN PAK whose telephone number is (571)272-0620. The Examiner can normally be reached on Monday to Friday from 8 AM to 4:30 PM.

If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's SPE, Gary Kunz, can be reached on (571)272-0887. The fax phone number for the organization where this application or proceeding is assigned is (571)273-8300. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (571)272-1600.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
JOHN PAK  
PRIMARY EXAMINER  
GROUP 1600